Pasaura

App. R. III-4

Previous References
GMC 162-29-1
GMD 86-29-1 2

Later References
GMC 171-28 M 3144

192 8.
(GMC)

File No. 63-29

Serial Nos. 34, 64, 53 1178

General and Revenue Secretariat.

Serial Nos.

Part B for March 29

SUBJECT

Bye laws relating to the Zoological Garden framed by the Dibrugarh Municipal Council

108 Pol

Dte D 6 January 29
GMC 6076 dt 16 3 29

Send the Bye laws for examination & observations

21/1/29

L 2144

App. F III—2]

General and Revenue Secretariat | and File No 63 of 1928

Serial No. 34

Letter no A3-458/28-29 dated 9/11/28 from the Deputy Commr Amritsar Dist forwarding for sanction the draft bye-laws relating to the toll-gates framed by the Jubilee Mcl

1 under the Municipal Rgn the Mcl was not bound bye-laws for regulating the levy of toll It is sufficient if they incorporate the rates in the schedule of taxes if they have any framed under sec 46 of the Mcl Rgn. If approved the Mcl will be informed accordingly and the bye-laws returned. The procedure regd is contained in chapter VI of the Punjab Municipal Manual which may be referred to. The formalities required under sec 60 of the Mcl Rgn have not been observed in the present case, which is necessary

2 The Jubilee Mcl have already established toll-gates and have framed rules on that behalf Submitted for orders with references

3 They may be pleased to see 19/11/28 & 19/11/28 Mcl. They may further the provisions of Chapter VI of the Punjab Municipal Manual & the bye-laws are necessary.

(Asst Member) 20/11

4 There is no harm in having a separate octroi bye-laws or rules (if the latter is the proper designation) for toll

5 What about tolls on through traffic

OFFICE OF THE SECRETARY TO GOVERNMENT PUNJAB 20 NOV. 1928 No. 7641

Note Conta. sheet

Serial No.

I believe that is not allowed in the case of Kolar Town mun?. Please verify - We should have a uniform practice in the matter -

27/11/28

6) Mean enquire

7) Submitted with a draft for approval
27/11/28 to 1/12 Let it be a Do from the President to the Town Board
5/12

9) Submitted with a draft Do for approval
4/12/28 Done 7/1

Town Board 4173 of 10/12/28. Enhancement Kolar town and Regret have to intimate whether the Kolar toll are levying tolls on land traffic

Letter no 463 of 12/12/28 from the President Town and Kolar. Stating that the Council are levying tolls on through traffic

10) Submitted with reference to Para 6 supra
12/12/28 To do away with the levy of tolls on the Kolar Town Board as the levy of tolls on through traffic has to be abolished

4/1/29

App. F III—2]

General and Revenue Secretariat | File No 63 of 1927

Serial No.

6

"In the Bill, as drafted, the Local Government has, on the recommendation of the Joint Committee, been given power to exempt in Area B as well as Area A persons who have been in that area for a long time or who are [illegible]"

It is clear that this is not subjected by the provisions of the Land Registration Act as laid down in Section 8 of the said Act, that necessary action will be taken to modify the rule so as to exempt these persons from payment of [illegible]...

7

In the Draft Bill under Consideration, a proviso is proposed to be added to Section 5, para 18 of the Draft Bill as follows —

"Provided that nothing in this section shall [illegible] a person from [illegible] registered as the owner of [illegible] immediately before the [illegible]"

In the Indian Bill it is having observed that the Joint Select Committee, which will consider the Bill, may be [illegible]

[illegible]

This is a different purpose altogether →

RECEIVED OF THE Secretary of Council 4 JAN 1927

seen by the Secretary to the Lower Burma Revenue Board

15) We shall have to limit the discussion to the Report of the Joint Committee which will be considered by the Council

16) Typing [illegible] to be dealt with [illegible] examined [illegible]

General and Revenue Secretariat. | 2nd File No 63 of 1929

Serial No

The Taluk Board have proposed to levy tolls as follows

	Rs. a. p.
Every laden cart or carriage	0-2-0
Every empty cart or carriage	0-1-0
Every motor bus	0-8-0
Every motor car	0-4-0
Every bicycle	0-1-0

The rates proposed are lower than those fixed in the schedule framed in the Bangalore and those prevailing in Bangalore & Mysore cities (Vide Statement at page 4)

Submitted with reference letter dated 16-1-29 supra

Schedule showing the revision of the rates of tolls leviable in the Shimoga municipality as fixed as directed

The bylaws have to be checked with the Model Municipal bylaws. I have corrected the schedule. Exemptions have not been provided for therein. Orders should be in regard to which the Shimoga bylaws are silent & may be added.

The Dy. should take steps at the Council Meeting for the consideration of the 2nd Members Memorandum dated 15th of the month. The Govt. Order for consideration should have a draft amendment of rules prepared for consideration in the event.

NOTE—Contd. above.

Under extract below for action accordingly

General and Revenue Secretariat | File No. 63 of 1928

Serial No.

The byelaws do not compare well with those of Holkar and from byelaws If approved they will be asked to revise the same on the lines of Holkar and resubmit for sanction thereafter

28-11-1928 Mean while necessary Notification Cutting in the byelaws Part 2 enclosed

29 12/2

Some items have to be added in Byelaws not regarding Exemptions (Vide)

1) belonging to Govt Servants travelling on duty who are certified by their respective superior officers not entitled to [illegible]

2) belonging to heads of states who holds a certificate issued by a competent authority

3) Conveyances used for ambulance purpose

4) Government carts belonging to the Armed or Medical Dept moving about from place to place within a distance in connection with Departmental services, with the necessary permits by the Superintendent Armed Medical Depts are exempted from payment of tolls

After byelaws no 6 two newly byelaws may perhaps be added as 7+8 and the rest renumbered

7) No tolls should be levied afresh on any cart etc passing along the toll-gates, if within a period of 24 hours a toll has been collected thereon at a toll-gate in the Alipore State or a toll-gate in British India on presentation

The Govt of have no objection to grant exemption to the vehicles mentioned in the margin—Contd Page 3 on Page 3 and the Govt may kindly inform us in this regard

Serial No. 7

the Government have seemed necessity for exemption has been discussed in consultation with the Govt or local British / authorities

8) No exemption shall be claimed on the part from payment of toll on account of the peculiar situation of the toll-gate or the special requirements to the people near the toll-gate unless specially directed by Govt Clause (5) of Sec (4a) of bye-laws no (6) may be enacted as follows:-

This is not necessary.

"No toll shall be levied on cattle used for agricultural purpose or carts carrying manure for agriculture belonging to the residents of the village or town within five miles from the limits of which the toll-gate is established"

The then bye-laws may perhaps remain, as they are framed having regard to the local requirements

In accordance with the said number in order to show the note numbers for the exemptions and the note mentioned in the Schedule have been duly corrected

By M-G

In 6 (2) Toll-gate Contractor may take no toll from persons & if the contractor may perhaps be allowed to have provided that they have on the waiting the Clause 6 (4a) 5 from perhaps applicant

Condition 20 V. is only a repetition of the provision of clause (2) of para 5 of the Govt of India's Notification No. 1 and is unnecessary to have this in the bye-laws also - This may be omitted.

NOTE—Contin sheet

WD 021—GP3—20,000—11-8-28

and in its place substitute the
1) Carriage between [illegible] Mahalaya or Yamaloka [illegible]
Explanation Strength is [illegible]
[illegible] between [illegible]
2) Carriage of [illegible] when on Tour
3) Other [illegible] [illegible] in the Table in this note on Medical Aid
may be inserted for

The earlier part of clause 11 may also be omitted as this is also specifically provided in the Explanation.

In the Schedule, the words 'Motor bus' may be [illegible] as a [illegible] may be substituted

Mean [illegible] a draft [illegible] Consideration on the above lines

16/2

Submitted with a draft for consideration

15.2.29

[illegible] is submitted for Consideration with reference to [illegible] of the Note

2nd Member

16/2

Approved

15/2

Note—Contin sheet

App F III—2]

General and Revenue Secretariat. File No. 63 of 1928

Serial No. 100

Govt 6075 of 16/3/1929 To be Amendm Functions etc. Byelaws with certain modifications

19 MAR 1929
L. & G. MANCH.

[illegible] Mar

[illegible] Mar

[illegible] 5 3 31

Form—Centre. Sheet.

WD 6174—GPB—60,000—30-4-28

291

9

OFFICE OF THE DEPUTY COMMISSIONER
TUMKUR DISTRICT

No A 3-[illegible]5/28-29 Dated Tumkur 9th November 1928

FROM

K V ANANTARAMAN Esq BA
Deputy Commissioner Tumkur District
Tumkur

GEN & REV SECTT
17 OCT 1928
S G BRANCH

To

2144

R Ranga Rao, Esquire, B A , B L ,
General Secretary to the Government of
His Highness the Maharaja of Mysore
Bangalore

ml 63-28-34

Sir,

I have the honor to forward, herewith, for favour of sanction, the draft bye-laws relating to the toll-gates, framed by the Municipal Council, Tiptur The revised rates have been sanctioned in G O No 8601-2/ M1 336-27-2 dated 2nd June 1928 No objections are stated to have been received in the matter The copy of the resolution of the Municipal Council is also enclosed

I have the honor to be,
sir
Your most obedient servant,

J. K. Anantaraman

DEPUTY COMMISSIONER,
TUMKUR DISTRICT.
9/11/28

AD-9/11.

Pet no 24/2029

11

DEPUTY COMMISSIONER

ತಾ| 29 7 28

Present

1- President
2 Mr Singiconayoppa
3 M Basavaiah
4 Hanumanaiah
5 B Ranjumbiah
6 Khaja Mut Sahab
7 Medical graduate
8 Sub-Registrar

Absent

1 Mr D S Mallappa
2 G- Bhaskaraiah
3 Boregowda
4 Advocate
5 Amildar
6 D P W officer
7- M Sivaramjoppa Resd Vacant
8 Guru Basaiah -

Signed
G M Mallappa
President
29/7/28

Copy
G M Mallappa
President

Tiptur Town Municipality

13

BYE-LAWS REGARDING TOLL-GATES.

-:0:-

1. The local limits for the purpose of collecting tolls shall be the Municipal limits or boundaries of Tiptur Town.

2. The names of toll-gates are Tiptur Municipal Toll-gates, (1) one at the eastern end of the town where two roads from Bangalore and Yediyur meet and (2) one at the western end of the town near the Railway Station Road meets Motor Bus stand, on the Bangalore-Honnavar Road and (3) one called Kunigal gate and Marangere gate on the South-ern side of the town

3. The Municipal Council shall construct toll-gates, bars and gate-keeper stations at each point referred to above where the collection of a toll has to be made.

4. A table of toll rates both in English and Kannada shall be posted up at each toll-gate and the table should point out

(a) the vehicles or animals on which

(b) the rates at which and the authority under which,

the toll is leviable.

5. The Municipal Council shall have a right to collect tolls at the above gates either departmentally or by leasing the levy of tolls as noted in Schedule A every official year by public auction, on certain conditions that would be notified in the Mysore Gazette in the month of April, every year. The toll shall be levied only at the hours of traffic (6) In the case of non payment on demand of any toll levied as above the procedure laid down in Section 79 of the Mysore Municipal Regulation of 1964 shall be followed by the municipal authorities

6. No tolls shall be levied at the toll-gates for the passage of vehicles and animals

(i) belonging to, or employed by Government

(ii) belonging to or employed by the Municipal Council

(iii) licensed or registered by the Municipal Council during the period for which they have been so registered or licensed

(iv) belonging to a person who has compounded the tolls leviable, by periodical payments, as established by the license issued therefor,

(v) (whether owned or hired) used for the passage of troops or the conveyance of Government Stores or of any other Government property, or the property of H.H. the Maharaja, or H. H. the Yuvaraja or Conveyances stand by the Rajmane and his on tour

14

(vi) (whether owned or hired) used for the passage of Military or Police Officers on duty or the conveyance or passage of any property or person in their custody. No toll shall also be levied on British Military Officers passing on duty provided they travel in a staff car or wear uniform. Such officers passing on duty, otherwise than in uniform will enter in a book kept by the toll-gate keeper for the purpose, their rank, name and the nature of duty on which they are travelling.

(b) No tolls shall be levied for the passage of traffic, or carts, animals, etc., mentioned in Schedule A:--

1) Engaged by the Postal Department to convey Mails

2) Conveying Municipal servants on duty or property in the custody of such servants

3) Belonging to the Hon'ble the British Resident in Mysore

4) Belonging to Government servants travelling on duty who are certified by their respective immediate superiors as being not entitled to travelling allowance

5) Cattle belonging to the residents of the village or the Town within the limit of which the toll-gate is established

6) Engaged by the Municipality ~~for~~ Contract for the supply of jelly, stone, mud and other materials for the execution of all the works pertaining to the Municipality

7) Engaged by the D P W Contractors for the supply of jelly, stone, mud and other materials for the repairs of roads belonging to D.P W within the Municipal limits.

(c) No tolls shall be levied on foot passengers and on animals drawing vehicles for which tolls can be demanded; carts etc., mentioned in Schedule A, laden with bone or other substance as manure shall be treated as unladen and tolled accordingly.

7. No more than one payment of toll shall be demanded at any toll-gate in respect of any vehicle etc , mentioned in Schedule A, in anyone period of twenty-four hours counted from sunrise to sunrise

TOLLS COLLECTED DEPARTMENTALLY.

8. The Council shall provide double set of books and two cash bags at each bar, so that, if one is sent to the Municipal Office, the other shall be available for use.

9. The tolls shall be collected in tickets, the form of which be like the Form No.48 annexed

15

The person paying the toll shall receive a ticket with coupon attached to enable him to pass the bar. The progressive totals of the tolls received shall be kept in each page of the book of tickets in the space provided at the foot as the pages are completed The totals shall be taken at once and not put off till the end of the day when the progressive total of the money received for the day shall be taken up to the last counterfoil and shall be entered therein

10. The Municipal Council shall appoint necessary staff with the Sanction of Government for carrying out the working of the toll-bars.

11. The money received for the tickets shall be dropped into the Cash Box, which shall be sent daily to the Municipal Office, and shall be there opened in the presence of the President or Chief Officer

The money collected shall be credited to the Treasury at the end of every week.

TOLLS COLLECTED BY SALE OF THE RIGHT BY PUBLIC AUCTION

-O-

12. The right to collect the tolls at the toll-gates shall be sold within the 15th of May every year, after duly publishing the notification of the sale (in the Mysore Gazette in the month of April ~~every~~ year) with certain rules and conditions embodied therein, which the President of the Municipal Council deems necessary The notification shall contain the date, hour and place at which the sales of tolls for the ensuing official year will be conducted

13. (a) Persons intending to bid at the sale shall attend in person ~~or~~ by a duly accredited agent and every such person shall deposit beforehand an amount that would be prescribed by the President as earnest money. The deposits of all the bidders shall be returned at the close of the sale. The deposit of the highest bidder, who will be called the Contractor, shall be returned only on fulfilment

fulfilment of the Contract.

(b) He shall deposit a Security amount equal to

(i) one-sixth of his bid amount immediately after the sale is over if he is a resident of Mysore State, or

(ii) one-third of bid amount if he is a resident outside Mysore and this security shall be in Cash The Security deposit shall be taken as a set-off against the khists due for the last few months covered by it subject to all the conditions of the contract having been fulfilled by the Contractor.

[Every bidder shall produce a Certificate of Solvency before he bids.]

14. The sale shall not become absolute until confirmed by the Municipal Council that reserves the final power of refusing or accepting without assigning any reason or whatever, the highest or any bid that may be offered

15. The Contractor shall, within fifteen days of the receipt of intimation of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to b- serve the conditions hereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and shall furnish if he does not hold property in Mysore at least two sureties who own sufficient properties in the Mysore State for due performance of the Contract

16. In case the purchaser does not execute the required agreement in time for taking over the collection of the revenue leased out from the 1st July, a re-sale shall be arranged by the President at the risk of the defaulter.

17. The Contract shall not be transferred by sale, gift or otherwise or sub-leased without the previous sanction of the Municipal Council.

18 The Contract amount shall be paid in twelve equal monthly instalments in advance on or before the fifth of every month into the Munici-

17

19. The Contractor shall have no claim to the fees recovered from persons compounding the payment of toll in accordance with the standing Rules and orders approved by Government and he shall not levy any toll from such persons. He shall also pay along with the instalments, the authorised local, railway and Education cesses, if any, at the prescribed rates.

20. Interest at two pies per Rupee per month, shall be charged on the amounts due from the due date up to the date of payment

21. The Contractor shall collect tolls only at the rates and at the Gates on the traffic specified in Schedule A and Byle-law No 2

22. The Contractor shall give the person paying the toll a proper receipt showing the date and hour of payment of toll.

23. The Contractor shall keep at the toll-gate, true accounts of the daily collections and of the traffic passing through the toll-gate These accounts shall be open to the inspection of the Municipal President or the Chief Officer He shall, if required by the above authorities furnish to the Office, at the end of every month, a true return for the month showing the traffic passing through the Gate in the prescribed form

24. The Contractor shall have the use of the existing toll houses and the Gates without payment of any rent, and he shall keep them in good repair, failing which the cost of repair shall be recovered from him. If any toll-gate or house is required, it shall be put up at the cost of the Municipal Council.

25. The Contractor shall not be entitled to any remission of the Contract amount or to any compensation on account of unforeseen conditions or any other cause whatever.

26. The Contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No.274 dated 4-11-1876, and the Rules issued from time to time in matter.

27. Any breach of the above rules on the part of the Contractor or his servants shall entail the forfeiture of the deposit or the levy of a fine not exceeding Rs.50/-, per each infringement. If the fine be not paid or in the event of instalments or other sums due are not paid within the prescribed date, it shall be competent to the President to suspend further collections of toll by the Contractor and dispose of the right to collect toll during the remaining period by a re-sale or otherwise. The re-sale shall be held at the risk of the defaulting Contractor who shall be liable to make good all losses accruing but shall not be entitled to any profits arising from the resale.

28 The imposition of the fine or resale of the Contract shall be no bar to the prosecution of the Contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being

SCHEDULE A.
-O-

	Details of Traffic	Rates. Rs A. P.
1.	Every laden cart or carriage	0 2 0
2.	Every empty cart or carriage	0 1 0
3.	Every Motor Bus	0 2 0
4.	Every Motor Car	0 4 0
5.	Every Bicycle	0 1 0

President

Chief Officer.

69

Appendix F G—1

SUBJECT

Section Rev

File No. 63-28

Serial No. 50

No. L4173

Diary No. of letter replied to. L 2144

General and Revenue Secretariat

(Rev)

the *192*

To

Date of issue. 10/12/28

Signed by M. V. Das Gupta

Dear Sir

I shall be obliged if you can kindly furnish me by return of post information as to whether the Kolar town municipal council are levying tolls on through traffic

Yours sincerely

for General Secy to Govt

The President

Kolar town mcl.

8/1/29 Kolar

over

List of enclosures... ... . - .....

Copied by .. ..

Examined by..... .. ..

WD 0999—GPB—20,000—18-9-28

Ml 463-28-52-
REV SECTT

Office of the President,
Town Municipal Council,

D.O. No. 463 Dated, Kolar, the 18th December '28

Dear Sir,

L 2669
L 2144

With reference to your D O Letter No.L.4173/M1 63-28-50 dated 10th December 1928, I write to inform you that this Municipal Council are levying tolls on through traffic.

Yours sincerely,
For President,
Town Municipal Council, Kolar.

To

T.K. Someswara Iyer Esquire, B A ,B L ,
Assistant Secretary to the Govt.
of His Highness the Maharaja
of Mysore, General Department,
Bangalore.

24

G.R.S. VI G 31]

SUBJECT..... ....
... .
....

Diary No. of letter replied to.... L 2144
Weekly

Section Mil
File No 63-28
Serial No 10 A

General and Revenue Secretariat
(Mil)
, *the* *192*

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue... 16/3/1929

Signed by ....

Read— Letter no A3-455 28 29 dated 9/11/28 from the Deputy Commissioner Tumkur District forwarding for Sanction the draft byelaws relating to Tollgates framed by the Taluk Board.

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Order Thereon No. L 6677
Exc Mil Copies

The byelaws are sanctioned with the following modifications.

1) The items have to be added in Byelaw no 6

regarding exemptions

1) Vehicles and animals belonging to Heads of clubs who hold a valid pass issued by a competent authority

2) Conveyances used for ambulance purposes

Condition no (V) in bye-laws no 6 is only a repetition of the provision of cl (e) of proviso to Section 59 when there is provision in the Regulation, it is unnecessary to have the same in the bye-laws and may therefore be omitted. and in its place Exemption for, 1) Carriages belonging to H H the Maharaja & Yuvaraja

2) Carriages of the Dewan when on tour

3) Resident & his staff (namely the Secy to the Resident, the Residency Surgeon, and the Personal Asst to the Resident in Mysore)

may be provided for.

The earlier portion of cl(VI) of bye-laws no 6 may be omitted, as it is provided for in the Regn.

List of enclosures

Copied by

Examined by

WD 1000—CFD—1,000.0—01-10-65

G R. S. G/33]

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form.)

In the Schedule of rates, the rate for "motor bus" may be fixed at annas 6 and the rest may be retained

The remaining bye laws do not call for remarks.

The bye laws may be got printed and a dozen copies may be sent to this office for reference

[illegible] General Secy to Govt

To the DC Chittoor with a copy giving sanctioning bye laws

KC 15/-

Extn

Proceedings of the Government of His Highness the Maharaja of Mysore.

24

R o a d s-

Letter No.A.S.455/28-29 dated 9th November 1928 from the Deputy Commissioner, Tumkur District forwarding for sanction the draft bye-laws relating to Toll Gates framed by the Tiptur Municipal Council.

Order No.L. 6075/gmc63-28-108

Dated, Bangalore, the 16th March 1929.

The bye-laws are sanctioned with the following modifications

(1) The following items have to be added in Bye-law No.6 regarding exemptions.

(1) Vehicles and animals belonging to Heads of Mutts who hold a sanadari issued by a competent authority.

(2) Conveyances used for ambulance purposes.

Condition No.(v) in bye-law number 6 is only a repetition of the provision of clause (e) of proviso to Section 59. When there is provision in the Regulation, it is unnecessary to have the same in the bye-laws and may therefore be omitted and in its place exemption for

(1) Carriages belonging to His Highness the Maharaja or Yuvaraja.

(2) Carriages of the Dewan when on tour.

(3) Resident and his Personal staff (namely the Secretary to the Hon'ble the Resident, the Residency Surgeon and the Personal Assistant to Hon'ble the Resident in Mysore) may be provided for.

The earlier portion of clause (vi) of bye-law No.6 may be omitted as it is provided for in the Regulation. In the schedule of rates, the rate for " Motor Bus " may be fixed at annas six and the rest may be retained.

The remaining bye-laws do not call for remarks.

The Bye-laws may be got printed and a dozen copies thereof

sent

25

sent to this office for reference.

Per General Secretary to Government.

To

The Deputy Commissioner, Tumkur District with a copy of the sanctioned bye-laws.

mk.S.